

## SCHEDULE 5

Regulation 3(3)

### Application to bread

1. References to the packer shall be treated as referring to the person who made the bread, or in the case of bread supplied to a retailer part-baked, completed the baking.
  2. References to the making up or the packing of a package shall be treated as referring to the making up for sale of the loaf of bread.
  3. References to the nominal quantity of a package shall be treated as references to the predetermined constant quantity to which the loaf of bread has been made up, including (where applicable) any additional quantity which has been marked on the packaging.
  4. In their application to bread which is sold unwrapped—
    - (a) references to a package and references to what a package contains shall be treated as referring to the loaf of bread; and
    - (b) references to the contents of a package shall be treated as referring to the quantity of bread in the loaf.
  5. Regulation 3(5) shall not apply.
  6. The following provisions of regulations 5 and 6 shall not apply to bread sold in open packs—
    - (a) in regulation 5, paragraphs (1)(a), (2), (3), and (4); and
    - (b) in regulation 6, paragraphs (1)(a) and (b), (2), (3) and (4).
  7. Regulations 5 and 6 shall not apply to bread which is sold unwrapped.
  8. Regulations 8 and 11 shall not apply.
- [<sup>F1</sup>9. Regulation 9(1)(b)(ii) (duty to keep records) does not apply to bread which is sold unwrapped or in open packs.]

**F1** Sch. 5 para. 9 substituted (1.10.2015) by [Consumer Rights Act 2015 \(c. 15\)](#), ss. **78(2)**, 100(5) (with s. 78(4)); S.I. 2015/1630, art. 3(e)

10. In Regulation 19(1), for the words “which was not marked on the packages when they were in his possession” there shall be substituted— “ which was not the nominal quantity to which the bread was made up ”.
11. Where bread is not made up by means of a continuous process, for paragraphs 2.5 to 2.7 of Schedule 2 there shall be substituted—
  - “**2.5** The batch shall comprise all the loaves of bread of the same nominal quantity and type, which have been baked in the same bakery, and which are available to be inspected.
  - 2.6** Where it is reasonably practicable to do so, the batch shall be comprised of bread baked in the same oven at the same time.
  - 2.7** The batch size shall be subject to a maximum of 10,000 in number.”
12. In Schedule 7—
  - (a) paragraph 5 shall not apply; and
  - (b) in paragraph 7, for the words “, 1(f) or 5” there shall be substituted “ or 1(f) ”.
13. Where bread is supplied part-baked to a retailer who completes the baking in the premises from which the bread is sold, then the retailer may by giving written notice to the local authority choose not to have the bread treated as a package under these Regulations.

**Changes to legislation:** There are currently no known outstanding effects for the *The Weights and Measures (Packaged Goods) Regulations 2006, SCHEDULE 5. (See end of Document for details)*

**[<sup>F2</sup>Transitional provision**

**14.**—(1) Regulation 9(1)(b)(ii) (duty to keep records) does not apply to a packer who holds a notice of exemption which is in force.

(2) A “notice of exemption” means a notice issued under paragraph 9 as it stood before section 78 of the Consumer Rights Act 2015 came into force.]

**F2** Sch. 5 para. 14 inserted (1.10.2015) by [Consumer Rights Act 2015 \(c. 15\)](#), **ss. 78(3), 100(5)** (with [s. 78\(4\)](#)); [S.I. 2015/1630](#), art. 3(e)

**Changes to legislation:**

There are currently no known outstanding effects for the The Weights and Measures (Packaged Goods) Regulations 2006, SCHEDULE 5.